

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

FANSTEEL METALS, INC. F/K/A FMRI, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-21-102-JWB-DES
)	
MUSKOGEE CITY-COUNTY PORT)	
AUTHORITY; et al.;)	
)	
Defendants.)	

SECOND AMENDED INITIAL INTERIM CASE MANAGEMENT ORDER
EXTENDING STAY

AND NOW, on this 30 day of May, 2024, this matter coming before the Court upon Plaintiff, FANSTEEL METALS, INC. f/k/a FMRI, Inc. (“Plaintiff”) *Unopposed Motion For Expedited Relief and Entry of Second Amended Case Management Order to Extend Stay and Filing Deadline, but Retain Status Hearing*, filed on March 26, 2024 as Docket # 264. The Court, having considered the issues involved in the Motion and this matter, and finding that good cause is established and warrants the extended stay of deadlines to allow adequate time for all Participating Defendants to continue to pursue productive Fed. R. Evid. 408 settlement discussions with Plaintiff and with the United States Environmental Protection Agency and Department of Justice, which contemplates that the *de minimis* Participating Defendants will be notified of their liability at the Fansteel Metals Site, offered an appropriate means of resolving their liability through a *de minimis* settlement that can be consummated and administratively approved, and that the non-*de minimis* Participating Defendants will be identified by default and offered an appropriate means of resolving their liability.

The Court hereby amends its March 28, 2024 First Amended Initial Interim Case

Management Order (Dkt. #257), intending to set further deadlines and administer the litigation that may ensue between Plaintiff and any non-settling Litigating Defendants that remain in this action upon the expiration of the stay and when the litigation deadlines set forth in this Second Amended Initial Interim Case Management Order occur. The Court does so, based upon its finding that doing so will best conserve, streamline and most efficiently utilize the Parties' and this Court's resources, until such time as its involvement is required. The Court being otherwise duly advised in the premises,

IT IS HEREBY ORDERED THAT the Second Amended Initial Interim Case Management deadlines are as follows:

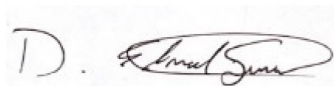
EVENT	DATE
(1) All litigation deadlines applicable to all Parties are hereby stayed and continued until:	August 31, 2024 **
(2) If not already dismissed, Amalgamet, Inc. shall file its Appearance in this matter by no later than:	August 31, 2024 **
(3) Answers or Responsive Pleadings, if any and as applicable to any Defendant not already dismissed from this action, are to be filed in this matter by no later than:	August 31, 2024 **
(4)	

** Subject to modification or amendment by subsequent interim Case Management Order.

IT IS FURTHER ORDERED THAT counsel for the Plaintiff is directed to continue updating the Court every two weeks regarding status of the United States Environmental Protection Agency's issuance of *De Minimis* settlement offers.

Dated: May 30, 2024

ENTERED:



UNITED STATES MAGISTRATE JUDGE
D. EDWARD SNOW